

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of: Sontheimer <i>et al.</i>)	
)	
Application No. Not Assigned)	Art Unit: Not Assigned
)	
Filed: October 17, 2003)	Examiner: Not Assigned
)	
For: Diagnosis and Treatment of Neuroectodermal)	
Tumors)	

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 forms. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

The present application is a divisional application of Application 09/296,031 (filed April 21, 1999) which is a continuation-in-part application of Application 08/774,154 (December 26, 1996) now U.S. Patent 5,905,027. Copies of the PTO-1449 forms filed in these applications are attached. Also attached is a form PTO-1449 listing the references cited by the Examiners during prosecution of these applications. The Examiner's attention is respectfully directed to the art of record in the prior application and thus, no references are being submitted.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

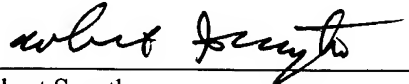
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or

credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **October 17, 2003**
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Respectfully submitted,
Morgan, Lewis & Bockius LLP



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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449				Attorney Docket 051530-5004-02		Application No. Not Assigned	
				Applicants: Harald Sontheimer et. al.		Page 1 of 2	
				Filing Date: October 17, 2003		Group Art Unit: 1632	

U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	aa	6,028,174	02/22/2000	Ullrich <i>et al.</i>	530	350	11/28/1997
	ab	5,756,340	05/26/1998	Hammock <i>et al.</i>	435	235.1	05/08/1995
	ac	5,750,376	05/12/1998	Weiss <i>et al.</i>	435	69.52	06/07/1995
	ad	5,223,253	06/29/1993	Hall <i>et al.</i>	424	88	09/28/1989
	ae	5,212,290	05/18/1993	Vogelstein <i>et al.</i>	530	387.7	12/07/1990
	af	5,626,862	05/06/1997	Brem <i>et al.</i>	424	426	08/02/1994

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		Document No.	Date	Country	Class	Sub-Class	Translation
	ag	WO 97/24619	07/10/1997	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	ah	Baker, (1991) Effects of an epithelial Cl ⁻ channel blocker on whole cell voltage clamp and patch clamp recordings from a human astrocytoma in culture, J. Physiol. 438:128-129
	ai	Brismar <i>et al.</i> , (1989) Inward rectifying potassium channels in human malignant glioma cells, Brain Res. 480:249-258
	aj	Brismar <i>et al.</i> , (1989) Potassium and sodium channels in human malignant glioma cells, Brain Res. 480:259-267
	ak	Chiu <i>et al.</i> , (1989) The role of potassium channels in Schwann cell proliferation in Wallerian degeneration of explant rabbit sciatic nerves, J. Physiol. 408:199-222
	al	Deane <i>et al.</i> , (1992) An alternative pathway of B cell activation: stilbene disulfonates interact with a Cl ⁻ binding motif on AEn-related proteins to stimulate motogenesis, Eur. J. Immunol. 22:1165-1171
	am	DeBin <i>et al.</i> , (1991) Chloride channel inhibition by the venom of the scorpion <i>Leiurus quinquestriatus</i> , Toxicon. 29:1403-1408
	an	DeBin <i>et al.</i> , (1993) Purification and characterization of chlorotoxin, a chloride channel ligand from the venom of the scorpion, Am. J. Physiol. 264:C361-369
	ao	De Muralt <i>et al.</i> , (1983) Reactivity of anti glioma monoclonal antibodies for a large panel of cultured gliomas and other neuroectoderm derived tumors, Anticancer Res. 3:1-6
	ap	Goldstein <i>et al.</i> (1986) The Blood Brain Barrier, Sci. Am. 255:74-83
	aq	Gray <i>et al.</i> , (1986) A voltage-gated chloride conductance in rat cultured astrocytes, Proc. R. Soc. Lond. 228:267-288
	ar	Grissmer <i>et al.</i> , (1993) Calcium-activated potassium channels in resting and activated human T lymphocytes, J. Gen. Phys. 102:601-630
	as	Hosli <i>et al.</i> (1990) Evidence for GABA-B receptors on cultured astrocytes of rat CNS: autoradiographic binding studies, Exp. Brain. Res. 80:621-625
	at	Huang <i>et al.</i> (1994) Potassium channel induction by the Ras/Raf signal transduction cascade, J. Biol. Chem. 269:31183-31189
	au	Jalonen, (1993) Single-channel characteristics of the large-conductance anion channel in rat cortical astrocytes in primary culture, Glia 9:227-237

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)			
	av	Kunwar <i>et al.</i> , (1993) Cytotoxicity and antitumor effects of growth factor-toxin fusion proteins on human glioblastoma multiforme cells, J. Neurosurg. 79:569-576	
	aw	Nilius <i>et al.</i> (1992) Potassium channels and regulation of proliferation of human melanoma cells, J. Physiol. 445:537-548	
	ax	Pappas <i>et al.</i> (1994) Reduction of glial proliferation by K ⁺ channel blockers is mediated by changes in pH _i , NeuroReport 6:193-196	
	ay	Pappone <i>et al.</i> , (1993) Blockers of voltage-gated K channels inhibit proliferation of cultured brown fat cells, Am. J. Physiol. 264:C1014-1019	
	az	Phillips <i>et al.</i> , (1994) Transforming growth factor-alpha-pseudomonas exotoxin fusion protein (TGF-α-PE38) treatment of subcutaneous and intracranial human glioma and medulloblastoma xenografts in athymic mice, Cancer Research 54:1008-1015	
	ba	Puro <i>et al.</i> , (1989) Retinal glial cell proliferation and ion channels: A possible link, Invest. Ophthalmol. Vis. Sci. 30:521-529	
	bb	Sakamoto <i>et al.</i> , (1996) Identification of a new outwardly rectifying Cl ⁻ channel that belongs to a subfamily of the CIC Cl ⁻ channels, J. Biol. Chem. 271:10210-10216	
	bc	Somogyi <i>et al.</i> , (1989) Subcellular localization of benzodiazepine/GABA _A receptors in the cerebellum of rat, cat and monkey using monoclonal antibodies, J. Neurosci. 9:2197-2209	
	bd	Sontheimer, (1994) Voltage-dependent ion channels in glial cells, Glia 11:156-172	
	be	Steinmeyer <i>et al.</i> , (1995) Cloning and functional expression of rat CLC-5, a chloride channel related to kidney disease, J. Biol. Chem. 270:31172-31177	
	bf	Uchida <i>et al.</i> , (1995) Localization and functional characterization of rat kidney-specific chloride channel CIC-K1, J. Clin. Invest. 95:104-113	
	bg	Ullrich <i>et al.</i> , (1996) Human astrocytoma cells express a unique chloride current, NeuroReport 7:1020-1024	
	bh	Ullrich <i>et al.</i> , (1996) Biophysical and pharmacological characterization of chloride currents in human astrocytoma cells, Am. J. Physiol. 270:C1511-1521	
	bi	Wilson <i>et al.</i> , (1993) Mitogenic factors regulate ion channels in Schwann cells cultured from newborn rat sciatic nerve, J. Physiol. 470:501-520	
	bj	Woodfork <i>et al.</i> , (1995) Inhibition of ATP-sensitive potassium channels causes reversible cell-cycle arrest of human breast cancer cells in tissue culture, J. Cell. Physiol. 162:163-171	
	bk	International Search Report – PCT/US96/20403	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	ab	Soroceanu <i>et al.</i> (1998) Use of Chlorotoxin for Targeting of Primary Brain Tumors, Cancer Res. 58:4871-4879.					
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